

House Engrossed

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 246

# HOUSE BILL 2044

AN ACT

REPEALING TITLE 3, CHAPTER 3, ARTICLES 3 AND 5, ARIZONA REVISED STATUTES;  
REPEALING TITLE 3, CHAPTER 15, ARTICLE 5, ARIZONA REVISED STATUTES; AMENDING  
SECTIONS 3-590 AND 3-1336, ARIZONA REVISED STATUTES; RELATING TO AGRICULTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 A. Title 3, chapter 3, articles 3 and 5, Arizona Revised Statutes, are  
4 repealed.

5 B. Title 3, chapter 15, article 5, Arizona Revised Statutes, is  
6 repealed.

7 Sec. 2. Section 3-590, Arizona Revised Statutes, is amended to read:  
8 3-590. Arizona grain research fund

9 ~~A. The council shall deposit the fees collected in a bank or other~~  
10 ~~depository approved by the superintendent of banks, and the fees shall be~~  
11 ~~disbursed by such officers and employees as may be approved by the council~~  
12 ~~for necessary expenses incurred in the administration of this article. The~~  
13 ~~council shall use the fees collected exclusively for the purposes provided~~  
14 ~~for in this article.~~

15 A. THE ARIZONA GRAIN RESEARCH FUND IS ESTABLISHED FOR THE PURPOSE OF  
16 ADMINISTERING THIS ARTICLE. THE COUNCIL SHALL ADMINISTER THE FUND. THE FUND  
17 CONSISTS OF FEES COLLECTED PURSUANT TO THIS ARTICLE. ON NOTICE FROM THE  
18 COUNCIL, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS  
19 PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE  
20 CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF  
21 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

22 B. If the council is terminated, any monies remaining with the council  
23 IN THE FUND after terminating this article shall be expended to meet existing  
24 legal obligations of the council. The council shall expend any surplus  
25 remaining for market research or other lawful purposes under this article.

26 Sec. 3. Section 3-1336, Arizona Revised Statutes, is amended to read:  
27 3-1336. Inspection of livestock to be slaughtered, sold or  
28 transported; fee; violation; classification

29 A. Except as otherwise provided in this section, livestock, other than  
30 equines previously inspected pursuant to section 3-1344 and livestock  
31 inspected at feedlots or dairies pursuant to section 3-1337, shall not be  
32 slaughtered, sold, purchased, driven, transported, shipped or conveyed unless  
33 the animals have been inspected by a livestock officer or inspector for  
34 health, brands and marks immediately before they are slaughtered, sold,  
35 purchased, driven, transported, shipped or conveyed and the inspection fee  
36 paid.

37 B. The owner or agent of the owner of the livestock to be slaughtered,  
38 sold, driven, transported, shipped or conveyed as provided in subsection A  
39 of this section shall notify the nearest livestock officer or inspector of  
40 that intention.

41 C. Equines consigned to either licensed Arizona livestock auctions or  
42 other special auctions approved by the department from out of state or from  
43 Indian reservations in this state or from other state or federal agencies  
44 without prior inspection shall be inspected on delivery at an auction.  
45 Auction buyers of these equines shall obtain a new ownership and hauling

1 certificate within thirty days pursuant to section 3-1344. All equines sold  
2 at auctions shall be inspected out on an inspection certificate or auction  
3 invoice and the seller shall pay a one dollar per head fee.

4 D. Equines bearing the registered brand of the owners from points of  
5 origin in this state which do not have an ownership and hauling certificate  
6 shall be inspected before being transported to an auction or to immediate  
7 slaughter on an inspection form provided by the department. The seller shall  
8 pay a fee of one dollar per head and a service charge of three dollars.

9 E. All livestock sold at auctions shall be inspected out on an  
10 inspection certificate or auction invoice validated by the department.  
11 Equines may be transported within this state on either document for thirty  
12 days after purchase at auctions described in this section.

13 F. The owner or producer of livestock excluding equines may slaughter  
14 or transport to another person to slaughter such livestock without having the  
15 animal inspected and without paying the inspection fee or service charge if  
16 the meat of such slaughtered livestock is solely for home consumption by such  
17 owner providing that such owner contacts a livestock officer or inspector  
18 within a forty-eight hour period prior to slaughter and is able to establish  
19 proof of ownership either by a prior inspection certificate, by a recorded  
20 brand on the animal or that the animal was raised by said owner, and the hide  
21 is inspected as provided for in section 3-2011. If proof of ownership cannot  
22 be established to the satisfaction of the livestock officer or inspector then  
23 the livestock officer or inspector may require an inspection prior to  
24 slaughter.

25 G. The associate director may waive an inspection for brands and marks  
26 before the slaughter of an animal if a federal or state meat inspector on the  
27 premises certifies on a form provided by the department that, as determined  
28 by an antemortem inspection, the animal is in a distressed condition and for  
29 humane reasons should be slaughtered immediately if it is otherwise fit for  
30 slaughter and if the hide, carcass and certification are segregated and held  
31 pending inspection for brands and marks. The associate director may waive  
32 inspections under this subsection only for individual animals, and a separate  
33 certification shall be made for each animal.

34 H. Livestock officers or inspectors shall not inspect livestock for  
35 health before they are slaughtered at an establishment which is subject to  
36 federal meat inspections as provided under chapter 13 of this title.

37 I. A person violating any provision of this section is guilty of a  
38 class 3 misdemeanor.

APPROVED BY THE GOVERNOR APRIL 25, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2001.

Passed the House January 24, 2001,

by the following vote: 58 Ayes,

1 Nays, 1 Not Voting

[Signature]  
Speaker of the House

Norman L. Moore  
Chief Clerk of the House

Passed the Senate April 19, 2001,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]  
President of the Senate

Charmine Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20 day of April, 2001,

at 8:27 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 25 day of

April, 2001,

at 3:40 o'clock P M.

[Signature]  
Governor of Arizona

H.B. 2044

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 25 day of April, 2001,

at 4:45 o'clock P M.

[Signature]  
Secretary of State